

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

JOSE SIERRA, on behalf of himself and others
similarly situated,

Plaintiff,

v.

TRIPLE J. ASSOCIATES OF QUEENS, INC.,
d/b/a USA CAR WASH, et al.,

Defendants.

Case No.: 12 CV 4462

Cogan, J.

**NOTICE OF PLAINTIFF'S
UNOPPOSED MOTION FOR
CERTIFICATION OF THE
SETTLEMENT CLASS, FINAL
APPROVAL OF THE CLASS
ACTION SETTLEMENT, AND
APPROVAL OF THE FLSA
SETTLEMENT**

For the reasons set forth in (i) the Memorandum of Law in Support of Plaintiff's Unopposed Motion for Certification of the Settlement Class, Final Approval of the Class Action Settlement, and Approval of the FLSA Settlement ("Plaintiff's Motion for Final Approval") and (ii) the Declaration of C. K. Lee in Support of Plaintiff's Unopposed Motion for Certification of the Settlement Class, Final Approval of the Class Action Settlement, and Approval of the FLSA Settlement ("Lee Dec.") and the exhibits attached thereto, Plaintiff respectfully requests that the Court enter an Order:

- (1) certifying the following settlement class under Federal Rule of Civil Procedure 23(a) and (b)(3) for purposes of effectuating the settlement: all non-exempt employees who performed work as a car washer employed by Triple J. Associates

of Queens Inc. d/b/a USA Car Wash, Jose Montiero and Joao Morais from September 6, 2006 until March 1, 2013;

(2) granting final approval of the Settlement Agreement and Release;

(3) granting approval of the FLSA Settlement; and

(4) granting any other relief that the Court deems just and proper.

For the Court's convenience, Plaintiff has contemporaneously submitted a Proposed Order, attached hereto as **Exhibit A**.

Dated: October 7, 2013

Respectfully submitted,

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